

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

CRP.No. 1034 of 2007()

OPEA.398/2002 of ADDL.D.C.,ALAPPUZHA.

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REVN. PETITIONER: RESPONDENT

POWER GRID CORPORATION OF INDIA LTD.,
LOCAL OFFICE, NANGIARKULANGARA, KAYAMKULAM,
REP. BY ITS MANAGER.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS: PETITIONERS

1. KRISHNAN, PALLIMBIL THEKKETHIL,
THAMALLACKAL P.O., KUMARAPURAM.

2. LEKSHMI, -DO- D-O-

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

M.N.Krishnan, J.

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C.R.P.No.1034 of 2007

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Dated this the 30th day of November, 2007.

ORDER

This revision petition is preferred against the award of the District Judge, Alappuzha in O.P.(EA) No.398 of 2002. By the award, the court below has granted enhanced amount of Rs.24,000/- with 6% interest. There are two heads on which compensation had been claimed, one is for the value of the trees cut and the other is the land value, i.e., diminution on account of the drawal of the line. So far as the value of the trees are concerned, the court found that reasonable compensation has been awarded and so no enhancement has been given at all. So far as the second point regarding the diminution of land value is concerned, the court found that 14 yielding rubber trees were cut and there were also cutting of saplings whereby the court found that the approximate land affected by the drawal of the electric line is 20 cents.

2. The court fixed the land value at Rs.4,000/- per cent and granted 30% as the diminution on account of this. I feel that the court below has applied its mind properly and had only awarded a reasonable compensation. The owner is deprived of from cultivating the trees which he wants to cultivate which gives a higher income just like the rubber trees, coconut trees, areca trees or cashew trees.

Therefore, I do not find any illegality or perversity in the order passed by the court below. Hence, the Civil Revision Petition is dismissed.

M.N.Krishnan,
Judge.